

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

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**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY**

In the Matter of)
)
Telephone Number Portability) CC Docket No. 95-116
) RM 8535

**REPLY COMMENTS OF THE
CELLULAR TELECOMMUNICATIONS INDUSTRY ASSOCIATION**

The Cellular Telecommunications Industry Association ("CTIA")¹ hereby submits its Reply Comments in response to comments filed pursuant to the Federal Communications Commission's Notice of Proposed Rulemaking in the above-captioned proceeding.²

I. INTRODUCTION

The wireless industry supports the goal of full number portability for all telecommunications providers, including

¹ CTIA is the international organization of the wireless communications industry for both wireless carriers and manufacturers. Membership in the association covers all Commercial Mobile Radio Service providers, including cellular, personal communications services, enhanced specialized mobile radio, and mobile satellite services.

² Notice of Proposed Rulemaking, In the Matter of Number Portability, CC Docket No. 95-116 and RM 8535, FCC 95-284 (released July 13, 1995) ("Notice"). Initial comments were filed in this docket on September 12, 1995.

commercial mobile radio service ("CMRS") providers. Currently there are several nationwide number portability solutions being proffered by AT&T, MCI Metro, Nortel and Stratus Computers\U.S. Intelco. These proposals are landline-based and do not contemplate the implementation of number portability in wireless networks.³ CTIA reaffirms its position that any nationwide number portability plan must include solutions for both wireless and wireline networks.⁴ However, the Commission should not delay the introduction of number portability in landline networks while awaiting wireless network solutions that will accommodate the implementation of number portability in a wireless environment.⁵

II. ARGUMENT

A. Immediate implementation of number portability is more crucial to the landline industry than the wireless industry

Number portability in a wireless environment is not as crucial as it is for the wireline industry given that the

³ CTIA Comments at 4-5, 10.

⁴ Id. at 2, 4.

⁵ CTIA also supports the goal of service provider portability for the 500 service access code ("SAC"), but not as a solution for local number portability.

wireless industry already embraces the Commission's twin goals associated with number portability: personal mobility, and added competition.⁶ Several commenters agree with CTIA that because the CMRS industry is already competitive, number portability is not needed to spur competition in the wireless industry,⁷ as it is in the landline industry.

The National Wireless Resellers Association ("NWRA") asserts that the lack of number transferability, which it mistakenly claims is another term for service provider portability,⁸ is a significant impediment to consumer access to competing CMRS offerings, and hinders the ability of resellers to provide an optimum level of service and choice to customers.⁹ The wireless industry is already

⁶ CTIA Comments at 8-10.

⁷ Joint Comments of AirTouch Paging and Arch Communications Group at 4; BellSouth Corporation and BellSouth Telecommunications ("BellSouth") Comments at 12-16; Nextel Comments at 7; Paging Network Comments at 3-4.

⁸ CTIA concurs with Pacific Telesis that number transferability is not synonymous with number portability, but rather is the transfer of numbers from wireless carriers to wireless resellers. See Pacific Telesis Comments at 8. To benefit consumers, number portability should be directly available to end users, not to service providers and their resellers.

⁹ NWRA Comments at 1-2.

competitive. From its inception, the wireless industry has been competitive, and carriers and their resellers have offered consumers a variety of choices of services and service providers. In fact, resale of wireless services is prevalent. For example, since last November, Time Warner has signed up one-third of the new cellular phone customers in the Rochester, New York market.¹⁰ Consumer choice will expand even more as personal communications services ("PCS") are introduced later this year.

Further, the resellers' claim that "a CMRS providers' control of the subscriber's number is in many respects the obverse of the illegal practice of slamming"¹¹ is misleading and baseless. NWRA has conveniently confused the reluctance of landline customers to surrender their landline telephone numbers, with the habits of wireless customers. Wireless customers' willingness to switch from one wireless service provider to another in the same market, also known as churn, is well documented.¹² EMCI, a national research firm, estimates that cellular customers churn from one cellular

¹⁰ The Wall Street Journal, July 3, 1995, at B8, col. 3.

¹¹ NWRA Comments at 2-3, n. 2.

¹² CTIA Comments at 10.

carrier to another on average of 1.1% per month.¹³ The annual churn rate is based on an average number of subscribers, and if this rate remains constant each month, this figure translates to an average annual churn rate of 13.2%.

B. Wireless technical solutions should be developed by industry groups, with Commission oversight, to facilitate implementation of number portability in a wireless environment

Several commenters agree with CTIA that numerous technical and policy considerations must be resolved before number portability can be achieved in wireless networks.¹⁴ The wireless network infrastructure is inherently different from the landline industry because wireless networks must be able to facilitate mobility (which includes transaction-based capabilities, such as roaming) by using wireless-defined protocols, *i.e.*, IS-41. Therefore, before wireless networks can support number portability, modifications are required to, among other things, signalling, and routing, as well as other fundamental changes to the mobile switching

¹³ EMCI Report, U.S. Cellular Marketplace Report (1995).

¹⁴ Bell Atlantic NYNEX Mobile Comments at 4-5; Nextel Comments at 7; PCS PrimeCo Comments at 6; SBC Communications Comments at Appendix F.

architecture of current wireless networks. Further, commenters agree that because the current number portability proposals are wireline-focused and, therefore, do not provide technical solutions for the wireless industry, the Commission should leave to the telecommunications industry, through industry groups and standard-setting bodies, the task of developing such solutions.¹⁵

Some commenters argue for Commission development of principles and standards in conjunction with state regulatory initiatives;¹⁶ however, many commenters recognize the need for a federal scheme based upon technical standards developed by industry experts,¹⁷ especially those groups who are presently considering number portability solutions.

¹⁵ CTIA Comments at 10-12; U.S. West Comments at 20-21.

¹⁶ Ad Hoc Coalition of Competitive Carriers Comments at 8, 12; AirTouch Paging and Arch Communications Comments at 8-10; California Public Service Commission Comments at 2-5; State of Florida Public Service Comments at 8; Illinois Commerce Commission Comments at 2, 9; NARUC Comments at 4-5; Paging Network Comments at 5; Public Service Commission of Texas at 2-3; Teleport Comments at 10.

¹⁷ AT&T Corporation Comments at 36; CTIA Comments at 10-11; Bell Atlantic NYNEX Mobile at 5; BellSouth Comments at 46; General Services Administration at 10; Omnipoint Comments at 5; Nextel Comments at 2, 9; Pacific Telesis Comments at 9; PCIA Comments at 8; PCS PrimeCo Comments at 9; SBC Corporation at 2; Sprint Comments at 7, 10; Telecommunications Resellers Association at 10, 13; U.S.

It is important that wireless number portability be made available nationwide. Because of the mobile nature of wireless telecommunications, every wireless switch in the country must be able to support customers that roam into its system. Therefore, inconsistent state requirements are incompatible with a national wireless service.

III. CONCLUSION

CTIA strongly supports full nationwide implementation of number portability for both wireless and wireline networks. However, because of the numerous technical solutions that must be resolved before number portability can be implemented in a wireless environment, CTIA urges the Commission not to delay the deployment of number portability in landline networks while awaiting wireless network solutions. To ensure the facilitation of number portability in a wireless environment, wireless technical solutions should be developed by industry groups, with Commission oversight, as needed. Even without a Commission mandate,

Airwaves Comments at 5; U.S. Small Business Administration at 7; U.S. West at 9-11.

wireless industry fora are currently developing numbering portability principles and solutions.

Respectfully submitted,

A handwritten signature in black ink, reading "Brenda K. Pennington", is written over a double horizontal line.

Brenda K. Pennington
Staff Counsel

Michael Altschul
Vice President and
General Counsel

Randall S. Coleman
Vice President,
Regulatory Policy & Law

**CELLULAR TELECOMMUNICATIONS
INDUSTRY ASSOCIATION**
1250 Connecticut Avenue, N.W.
Suite 200
Washington, D.C. 20036

October 12, 1995

CERTIFICATE OF SERVICE

I, Brenda K. Pennington, hereby certify that on this 13th day of October, 1995, copies of the foregoing Reply Comments of the Cellular Telecommunications Industry Association were served either by hand-delivery or by first-class mail upon the following parties:

*Mr. William Caton
Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

*International Transcript Service
1919 M Street, Room 246
Washington, D.C. 20554

Lisa M. Zaina
General Counsel
OPASTCO
21 Dupont Circle NW, Suite 700
Washington, DC 20039

J. Manning Lee
Vice President, Regulatory Affairs
TELEPORT COMMUNICATIONS GRP.
Two Teleport Drive, Suite 300
Staten Island, NY 10311

Loretta J. Garcia
Donald J. Elardo
MCI TELECOMMUNICATIONS CORP.
1801 Pennsylvania Ave. NW
Washington, DC 20006

Robert C. Schoonmaker
Vice President
GVNW INC./MANAGEMENT
2270 La Montana Way
Colorado Springs, CO 80918

Mark C. Rosenblum
John J. Langhauser
Clifford K. Williams
AT&T CORP.
Room 3244J1
295 North Maple Ave.
Basking Ridge, NJ 07920

THE AD HOC COALITION OF
COMPETITIVE CARRIERS
Werner K. Hartenberger
Laura H. Phillips
J.G. Harrington
DOW, LOHNES & ALBERTSON
1255 Twenty-third St. NW Ste. 500
Washington, DC 20037

Robert Mitchell
U.S. INTELCO NETWORKS
P.O. Box 2909
Olympia, WA 98507

Pamela Portin
U.S. AIRWAVES INC.
10500 NE 8th St., Suite 625
Bellevue, WA 98004

* Hand-delivered

Paul Rodgers
Charles D. Gray
James Bradford Ramsay
NATIONAL ASSOC. OF REGULATORY
UTILITY COMMISSIONERS
1102 ICC Building
P.O. Box 684
Washington, DC 20044

Richard A. Askoff
NAT. EXCHANGE CARRIER ASSOC.
100 South Jefferson Rd.
Whippany, NJ 07981

Mark J. Golden
Vice President of Industry Affairs
PERSONAL COMMUNICATIONS
INDUSTRY ASSOCIATION
1019 19th St. NW, Suite 1100
Washington, DC 20036

THE COMPETITIVE TELECOMM-
UNICATIONS ASSOCIATION
Danny E. Adams
Steven A. Augustino
WILEY, REIN & FIELDING
1776 K Street NW
Washington, DC 20006

Ellen S. Deutsch
Senior Counsel
CITIZENS UTILITIES COMPANY OF
CALIFORNIA
1035 Placer St.
Redding, CA 96049-6020

Cynthia B. Miller
Associate General Counsel
FLORIDA PUBLIC SERVICE
COMMISSION
2540 Shumard Oak Blvd.
Room 301, Gerald L. Gunter Bldg.
Tallahassee, FL 32399-0850

JONES INTERCABLE, INC.
Paul Glist
Christopher W. Svage
John C. Dodge
COLE, RAYWID & BRAVERMAN, LLP.
1919 Pennsylvania Ave. NW
Suite 200
Washington, DC 20006

David L. Kahn
c/o BELLATRIX INTERNATIONAL
4055 Wilshire Blvd. Suite 415
Los Angeles, CA 90010

OMNIPOINT CORPORATION
Mark J. O'Connor
PIPER & MARBURY L.L.P.
1200 19th St. NW, Seventh Floor
Washington, DC 20036

THE YELLOW PAGES PUBLISHERS
ASSOCIATION
Albert Halprin
Melanie Haratunian
Halprin, Temple, Goodman & Sugrue
1100 New York Ave. NW
Suite 650, East Tower
Washington, DC 20005

Dan L. Poole
Jeffrey S. Bork
U.S. WEST, INC.
1020 19th St. NW Suite 700
Washington, DC 20036

Pat Wood, III
Robert W. Gee
Judy Walsh
PUBLIC UTILITY COMMISSION OF
TEXAS
7800 Shoal Creek Blvd.
Austin, TX 78757

Jere W. Glover, Esq.
Chief Counsel
Barry Pineles, Esq.
Assistant Chief Counsel
Office of Advocacy
U.S. SMALL BUSINESS
ADMINISTRATION
409 Third St. SW, Suite 7800
Washington, DC 20416

Gordon F. Scherer
President & Chief Executive Officer
Susan Drombetta Scherers
COMMUNICATIONS GROUP, INC.
575 Scherers Court
Worthington, OH 43085

TDS TELECOMMUNICATIONS CORP.
Margot Smiley Humphrey
KOTEEN & NAFTALIN
1150 Connecticut Ave. NW, Suite 1000
Washington, DC 20036

Maureen F. Thompson
NYNEX TELEPHONE COMPANIES
1095 Avenue of the Americas
New York, NY 10036

Mary McDermott
Linda Kent
Charles D. Cosson
UNITED STATES TELEPHONE ASSOC.
1401 H Street NW, Suite 600
Washington, DC 20005

Daniel L. Brenner
Neal M. Goldberg
David L. Nicoll
THE NATIONAL CABLE TELEVISION
ASSOCIATION
1724 Massachusetts Ave. NW
Washington, DC 20036

Frost & Jacobs
Thomas E. Taylor
Christopher J. Wilson
Attorneys for CINCINNATI BELL
TELEPHONE CO.
2500 PNC Center
201 E. Fifth Street
Cincinnati, OH 45202

Richard A. Muscat
Assistant Attorney General
OFFICE OF THE ATTORNEY
GENERAL OF TEXAS
Consumer Protection Division
Public Agency Representation Section
P.O. Box 12548, Capitol Station
Austin, TX 78711-2548

Robert M. Lynch
J. Paul Walters, Jr.
SBC COMMUNICATIONS INC.
175 E. Houston, Room 1262
San Antonio, TX 78205

William L. Roughton, Jr.
PCS PRIMECO, L.P.
1133 20th Street NW
Washington, DC 20036

Robert S. Foosaner
Lawrence R. Krevor
Laura L. Holloway
NEXTEL COMMUNICATIONS, INC.
800 Connecticut Ave. NW Suite 1001
Washington, DC 20006

Stephen G. Kreskin
Thomas J. Moorman
Kraskin & Lesse
U.S. INTELCO NETWORKS, INC.
2120 L Street NW, Suite 520
Washington, DC 20037

Richard Nelson
MARION COUNTY BOARD OF
COMMISSIONERS
2631 SE 3rd Street
Ocala, FL 34471-9101

Kathy L. Shobert
Director, Federal Affairs
GENERAL COMMUNICATION, INC.
901 15th Street NW, Suite 900
Washington, DC 20005

BELL ATLANTIC NYNEX MOBILE,
INC.
John T. Scott, III
CROWELL & MORING
1001 Pennsylvania Ave. NW
Washington, DC 20005-2595

Harold L. Stoller
Richard S. Wolters
Special Assistants Attorney General
ILLINOIS COMMERCE COMMISSION
527 East Capitol Ave.
P.O. Box 19280
Springfield, IL 62792-9280

MFS COMMUNICATIONS, INC.
Andrew D. Lipman
Russell M. Blau
SWIDLER & BERLIN, CHARTERED
3000 K Street NW
Washington, DC 20007

Lucie M. Mates
Theresa L. Cabral
Sarah Rubenstein
PACIFIC TELESIS
140 New Montgomery St. Room 1526
San Francisco, CA 94105

Jennifer A. Johns
CALIFORNIA CABLE TELEVISION
ASSOC.
4341 Piedmont Ave.
Oakland, CA 94611

ERICSSON CORPORATION
David C. Jatlow
YOUNG & JATLOW
2300 N Street NW, Suite 600
Washington, DC 20037

David J. Gudino
GTE SERVICE CORPORATION
1850 M Street NW
Suite 1200
Washington, DC 20036

TIME WARNER COMMUNICATIONS
HOLDINGS
Brian Conboy
Sue D. Blumenfeld
Thomas Jones
WILLKIE FARR & GALLAGHER
Three Lafayette Center
1155 21st Street NW
Washington, DC 20036

Jay C. Keithley
Norina T. Moy
Kent Y. Nakamura
SPRINT CORPORATION
1850 M Street NW, Suite 1110
Washington, DC 20036

Richard J. Metzger
General Counsel
ASSOCIATION FOR LOCAL
TELECOMMUNICATIONS
SERVICES
1200 19th Street NW, Suite 560
Washington, DC 20036

Emily C. Hewitt
Vincent L. Crivella
Michael J. Ettner
Jody B. Burton
GENERAL SERVICES
ADMINISTRATION
18th & F Streets NW, Room 4002
Washington, DC 20405

Roger W. Steiner
Assistant General Counsel
Attorney for the MISSOURI PUBLIC
SERVICE COMMISSION
P.O. Box 360
Jefferson City, MO 65102

ASSOCIATION OF PUBLIC-SAFETY
COMMUNICATIONS OFFICIALS-
INTERNATIONAL
Robert M. Gurss
WILKES, ARTIS, HEDRICK & LANE,
CHARTERED
1666 K Street NW, Suite 1100
Washington, DC 20006

Ann E. Henekener
Assistant Attorney General
Public Utilities Section
180 East Broad Street
Columbus, OH 43266-0573

David Cosson
L. Marie Guillory
NATIONAL TELEPHONE
COOPERATIVE ASSOC.
2626 Pennsylvania Ave. NW
Washington, DC 20037

TELESERVICES INDUSTRY
ASSOCIATION
Glenn S. Richards
FISHER, WAYLAND, COOPER,
LEADER & ZARAGOZA, L.L.P.
2001 Pennsylvania Ave. NE, Suite 400
Washington, DC 20006

INTERACTIVE SERVICES
ASSOCIATION
Edwin N. Lavergne
Darren L. Nunn
GINSBERG, FELDMAN AND BRESS,
CHARTERED
1250 Connecticut Ave. NW
Washington, DC 20036

Charles C. Hunter
Kevin S. DiLallo
Hunter & Mow, P.C.
Attorneys for the
TELECOMMUNICATIONS
RESELLER ASSOCIATION
1620 I Street NW, Suite 701
Washington, DC 20006

NATIONAL EMERGENCY NUMBER
ASSOC.
James R. Hobson
DONELAN, CLEARY, WOOD &
MASER, P.C.
1100 New York Ave. Suite 750
Washington, DC 20005-3934

Betsy L. Anderson
Duane K. Thompson
Attorneys for BELL ATLANTIC
1320 N. Court House Rd.
Arlington, VA 22201

Sam LaMartina, Esq.
INDEPENDENT
TELECOMMUNICATIONS
NETWORK, INC.
8500 W. 110th Street, Suite 600
Overland Park, KS 66210

Larry A. Peck
Frank Michael Panek
Attorneys for AMERITECH
2000 W. Ameritech Center Dr. Rm. 4H86
Hoffman Estates, IL 60196-1025

Maureen O. Helmer
General Counsel
NEW YORK STATE DEPARTMENT OF
PUBLIC
SERVICE
Three Empire State Plaza
Albany, NY 12223

ARCH COMMUNICATIONS GROUP
AND AIRTOUCH PAGING
Carl W. Northrop
BRYAN CAVE L.L.P.
700 Thirteenth St. NW, Suite 700
Washington, DC 20005

NATIONAL WIRELESS RESELLERS
ASSOCIATION
Joel H. Levy
COHN AND MARKS
1333 New Hampshire Ave. NW, Suite 600
Washington, DC 20036

John A. Malloy, Esq.
Leo R. Fitzsimon, Esq.
GO COMMUNICATIONS CORP.
201 N. Union Street, Suite 410
Alexandria, VA 22314

PAGING NETWORK, INC.
Judith St. Ledger-Roty
John W. Hunter
REED, SMITH, SHAW & MCCLAY
One Franklin Square
Suite 1100, East Tower
Washington, DC 20005

Peter Arth, Jr.
Edward W. O'Neill
Ellen S. Levine
Attorneys for the People of the State of
California and THE PUBLIC UTILITIES
COMMISSION OF THE STATE OF
CALIFORNIA
505 Van Ness Ave.
San Francisco, CA 94102

Gregory M. Casey, Esq.
Senior Vice President
TELEMATION INTERNATIONAL INC.
6707 Democracy Blvd.
Bethesda, MD 20817

Cathrine R. Sloan
Richard L. Fruchterman
Richard S. Whitt
WORLDCOM, INC.
dba LLDS WORLDCOM
1120 Connecticut Ave. NW, Suite 400
Washington, DC 20036

AMERICA'S CARRIERS
TELECOMMUNICATIONS
ASSOCIATION
Charles H. Helein
General Counsel
HELEIN & ASSOCIATES, P.C.
8180 Greensboro Drive, Suite 700
McLean, VA 22102


Brenda K. Pennington
Staff Counsel